



ADMINISTRATION AND  
MANAGEMENT

## OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

October 15, 2009

### MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Secretary of the Navy Advisory Panel*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to establish the *Secretary of the Navy Advisory Panel*. The Panel will operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) and 41 CFR § 102-3 through 102-3.185.

Prior to filing the Panel's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter (attached). The proposed charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-601-6148.

James D. Freeman II  
Deputy Committee Management Officer  
for the Department of Defense

#### 2 Attachments

1. DA&M Memo dated, October 15, 2009
2. Proposed Charter

## **ATTACHMENT 1**



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MEMORANDUM FOR UNDER SECRETARY OF NAVY

SUBJECT: Charter Renewal – Secretary of the Navy Advisory Panel

The charter for the Secretary of the Navy Advisory Panel is approved for renewal. A notice will be published in the Federal Register announcing the Department's intention to renew the Panel's charter. My Committee Management Officer, pursuant to 41 CFR § 102-3.70, will formally file the Panel's renewed charter with the Library of Congress, the General Services Administration, and the appropriate congressional oversight committees.

As the DoD Sponsor for this federal advisory committee, you are reminded that you are responsible for:

- (a) Ensuring that the Secretary of the Navy Advisory Panel's Designated Federal Officer (DFO) attends all the meetings;
- (b) Ensuring that the DFO and the Panel fully complies with all appropriate federal statutes and regulations, to include DoD Instruction 5105.04;
- (c) Providing adequate support to the Panel and its membership;
- (d) Ensuring that the Panel members are appointed according to DoD policy, and that they do not serve on the Panel until all personnel and ethics paperwork has been processed by the appropriate offices;
- (e) Ensuring that neither the Secretary of the Navy Advisory Panel nor the Panel's membership is unduly or inappropriately influenced by federal employees or any special interest;
- (f) Monitoring the implementation status of any recommendation adopted by the Department of Defense or the Congress, and ensuring that this information is available for future inquiries.

If you should have any questions, please contact my Committee Management Officer, Frank Wilson, at 703-601-6100.

Michael L. Rhodes  
Acting Director

## **ATTACHMENT 2**

CHARTER  
SECRETARY OF THE NAVY ADVISORY PANEL

1. Committee's Official Designation (Title): The Committee shall be known as the Secretary of the Navy Advisory Panel (hereafter referred to as the Panel).
2. Authority: The Secretary of Defense, pursuant to the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d), established the Panel.
3. Objectives and Scope of Activities: The Panel, under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), shall provide the Secretary of Defense, through the Secretary of the Navy, independent advice and recommendations on critical matters concerning the Department of the Navy.
4. Description of Duties: The Panel's focus will include acquisition reform, the shipbuilding defense industrial base, intelligence organization, and related maritime issues.
5. Agency or Official to Whom the Committee Reports: Pursuant to DoD policy, the Secretary of the Navy or designee is authorized to act upon the Panel's advice and recommendations.
6. Support: The Department of Defense, through the Office of the Secretary of the Navy, shall provide administrative and support services as deemed necessary for the performance of the Panel's functions, and shall ensure compliance with reporting requirements of 5 U.S.C., Appendix, as amended.

Additional information and assistance, as required, may be obtained from other DoD Components with contracting authority, support contractors, including DoD Federally Funded Research and Development Centers for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs and contract support for the Panel is \$550,000.00. The estimated annual personnel cost to the Department of Defense is 5.0 full-time equivalent (FTE).
8. Designated Federal Officer: The Designated Federal Officer pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer and/or Alternate Designated Federal Officer shall attend all Panel and subcommittee meetings.
9. Estimated Number and Frequency of Meetings: The Panel shall meet at the call of the Designated Federal Officer, in consultation with the Secretary of the Navy and the Chairperson, and the estimated number of Panel meetings is 3 per year.

10. Duration: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.

11. Termination: The Panel shall terminate upon completion of its mission or two years from the date this Charter is filed, whichever is sooner, unless it is extended by the Secretary of Defense.

12. Membership and Designation: The Panel shall be composed of no more than 20 members, who are eminent authorities in the fields of national security policy, intelligence, science, engineering, or business and industry. Panel Members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 and serve as Special Government Employees. Panel members shall be appointed on an annual basis by the Secretary of Defense and with the exception of travel and per diem for official travel, Panel members shall serve without compensation.

The Secretary of the Navy shall select the Panel's chairperson from the total membership.

13. Subcommittees: With DoD approval, the Panel shall is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate Federal regulations.

Such subcommittees or workgroups shall not work independently of the chartered Panel, and shall report all their recommendations and advice to the Panel for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Panel nor can they report directly to the Department of Defense or any Federal officers or employees who are not Panel members.

14. Recordkeeping: The records of the Panel and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: